

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	<b>CASE NO.: 1:11-cr-005</b>
	:	
	:	
<b>vs.</b>	:	<b>JUDGE BECKWITH</b>
	:	
	:	
<b>ANDREW F. KEITH</b>	:	<b><u>ELEMENTS OF THE OFFENSES</u></b>
	:	<b>18 U.S.C. § 2251(a)</b>
	:	<b>18 U.S.C. § 2252(a)(1)</b>
	:	<b>18 U.S.C. § 2252(a)(4)</b>

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**COUNTS 1, 4, 10, 13, 16, 17, 21, 34, 42,  
60, 62, 105, 111, 112, 114**

**PRODUCTION OF CHILD PORNOGRAPHY  
IN VIOLATION OF 18 U.S.C. § 2251(a)**

**1<sup>st</sup>:** That the defendant employed, used, persuaded, induced, enticed or coerced the victim to take part in sexually explicit conduct for the purpose of producing a visual depiction of such conduct; and

**2<sup>nd</sup>:** At the time, the victim was a minor; and

**3<sup>rd</sup>:** That the visual depiction was produced using materials that had been mailed, shipped, or transported across state lines or in foreign commerce by any means OR that the visual depiction was mailed or actually transported across state lines or in foreign commerce; and

**4<sup>th</sup>:** That such act or acts occurred in the Southern District of Ohio on or about the date or dates alleged in the Indictment.

**COUNT 116**

**TRANSPORTATION OF CHILD PORNOGRAPHY  
IN VIOLATION OF 18 U.S.C. § 2252(a)(1)**

**1<sup>st</sup>:** That the defendant knowingly transported a visual depiction in interstate or foreign commerce, by any means, including by computer; and

**2<sup>nd</sup>:** The production of such visual depiction involved the use of a minor engagin in sexually explicit conduct; and

**3<sup>rd</sup>:** Such visual depiction is of a minor engaged in sexually explicit conduct; and

**4<sup>th</sup>:** That the defendant knew that at least one of the performers in such visual depiction was a minor and knew that the visual depiction was of such minor engaged in sexually explicit conduct; and

**5<sup>th</sup>:** That such act or acts occurred in the Southern District of Ohio on or about the date or dates alleged in the Indictment.

**COUNT 117**

**POSSESSION OF CHILD PORNOGRAPHY  
IN VIOLATION OF 18 U.S.C. § 2252(a)(4)**

**1<sup>st</sup>:** That the defendant knowingly possessed one or more matters which contained any visual depiction of a minor engaged in sexually explicit conduct; and

**2<sup>nd</sup>:** Such visual depiction had been mailed, shipped, or transported in interstate or foreign commerce, by any means, including by computer, or was produced using materials which had been so mailed, shipped or transported; and

**3<sup>rd</sup>:** That the production of the visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct; and

4<sup>th</sup>: That the defendant knew that the visual depiction involved the use of a minor engaging in sexually explicit conduct; and

5<sup>th</sup>: That such act or acts occurred in the Southern District of Ohio on or about the date or dates alleged in the Indictment.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Elements of the Offenses* was served this 6<sup>th</sup> day of May, 2011, electronically, upon counsel for defendant.

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